

Barry J. Peek (BJP 3268)
Jordan Rossen (JR 6126)

Meyer, Suozzi, English & Klein, P.C.
1350 Broadway, Suite 501
New York, New York 10018
212-763-7034

Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
BETH ISRAEL MEDICAL CENTER,

Plaintiff,

v.

1199/S.E.I.U. UNITED HEALTHCARE WORKERS
EAST D/B/A LOCAL 1199/S.E.I.U. NATIONAL
HEALTH AND HUMAN SERVICE EMPLOYEES
UNION

Defendant-Counter-Claim Plaintiff.

07 CIV 6254 (MGC)
ECF Case

**NOTICE OF MOTION AND RULE 12(c) MOTION FOR
JUDGMENT CONFIRMING ARBITRATION AWARD
AND DISMISSING EMPLOYER'S PETITION TO VACATE AWARD**

PLEASE TAKE NOTICE that on September 27, 2007 at 9:30 a.m. the Honorable Miriam Goldman Cedarbaum will hear the Motion by Local 1199 pursuant to Rule 12(c) of the Federal Rules of Civil Procedure to confirm the March 6, 2007 Award of Arbitrator Robert T. Simmeljkaer, to dismiss Plaintiff's Petition to Vacate said Award and for back pay, costs and attorneys fees. Argument on September 27, 2007 at 9:30 a.m. will be held in Courtroom 14A, 500 Pearl Street, New York, New York unless the Court sets a later return date.

This Motion is based on the pleadings and the parties' exhibits to said pleadings, matters referred to in said Arbitration Opinion and Award and on the Memorandum of Law filed for and against said Motion.

Respectfully Submitted,

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

By: _____ /s/
Barry J. Peek (BJP 3268)
Jordan Rossen (JR 6176)
1350 Broadway – Suite 501
New York, New York 10018
212-239-4999
Attorneys for Defendant-Counter-Claim Plaintiff
Local 1199

Dated: August 30, 2007
New York, New York

TO: Jason R. Bogni, Esq.
Edwards Angell Palmer & Dodge, LLP
Attorneys for Plaintiff
750 Lexington Avenue
New York, New York 10022